

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to Figure 1. This sheet, which includes Figure 1, replaces the original sheet including Figure 1.

Attachment: Replacement Sheet

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 21-40 are pending in this application. By this amendment, claims 21, 26, 29, 33, and 39 are amended. No new matter is added. Claims 21 and 39 are the independent claims.

Applicants note with appreciation the Examiner's acknowledgement that certified copies of all priority documents have been received by the U.S.P.T.O.

Applicants also appreciate the Examiner's indication that the Information Disclosure Statement (IDS) filed on April 26, 2006, has been considered.

Applicants also respectfully note the present action indicates that the drawings have been accepted by the Examiner.

Objections to the Drawings

The drawings are objected to under 37 C.F.R. 1.83(a). Applicants have amended the specification and FIG. 1 to illustrate the "token" as depicted by the "J". Reconsideration and withdrawal of the objection are respectfully requested.

Claim Rejections - 35 U.S.C. § 102

Claims 21-36 and 38-40 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,864,757 ("Parker"). Applicants respectfully traverse this rejection for the reasons detailed below.

Applicants respectfully submit that the Parker reference fails to disclose or suggest each and every element of claim 21, and therefore, an anticipatory rejection has not been established.¹

For example, claim 21, as amended, recites, a method for managing the security of at least one additional application associated to a main application, comprising, *inter alia*:

selectively activating or deactivating, by the security module, at least one resource as data or functions of said security module by executing instructions included in the cryptogram and conditioning the functioning of the at least one additional application according to criteria established by at least one of a supplier of said additional application, the operator and a user of the equipment, and the main application being left active for connection of the equipment to the network.

In particular, Applicants respectfully submit that the Parker reference fails to disclose or suggest, a method for managing the equipment having a main application and additional applications managed by the security module. Accordingly, the method relates to additional applications which may be provided by various suppliers implying specific management of the security in, for example, a mobile device environment.

In the Final Office Action, the Examiner states that:

...Parker reference basically teaches unlocking/locking the phone via the SIM, with one difference though. Parker does teach a third mode whereby the phone may be remotely deactivated such that it can only send out emergency calls. This implies there are at least three modes to choose from: a locked mode, an emergency only mode, and an unlock mode...Therefore, the modes of Parker are selectively chosen based on the status of the phone and user. Examiner is interpreting the calling service of the phone as the "at least one resource as data or functions" in the claim language....²

¹ A claim is anticipated only if each and every element as forth in the claim is found, either expressly or inherently described, in a single prior art reference. See MPEP § 2131; *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

² See Final Office Action mailed January 23, 2009, pages 3 and 4.

In other words, the Examiner alleges that Parker discloses selective activation or deactivation of mobile phone application since the state of the application may be changed remotely into 3 modes such as unlocked, locked and limited to emergency calls. However, Applicants respectfully submit that the Parker reference does not teach or suggest a main application (e.g., a normal mobile phone feature) that is left active while the additional applications corresponding to specific services (e.g., e-banking, e-commerce, multimedia content access, etc.) are managed according to the method of claim 21. Accordingly, each additional application can thus be enabled/disabled or set up according to predetermined criteria due to the action of instructions included in the cryptogram on resources in the security module. Such a configuration is not disclosed in the Parker reference, which is only focused on a mobile terminal having a mobile phone feature which may be locked, unlocked or set up with limited performances (i.e., emergency calls). Therefore, Applicants respectfully submit that no additional applications are disclosed or taught in the Parker reference.

Further, because the Parker reference fails to disclose or suggest the "additional application," it cannot teach or suggest, "the main application being left active for connection of the equipment to the network," as recited in claim 21. Therefore, contrary to the Examiner's contention, the Parker reference does not disclose or suggest each and every element of claim 21.

Since the Parker reference fails to disclose each and every element of claim 21, it cannot provide a basis for a rejection under 35 U.S.C. § 102(b) and, thus, is allowable.

Further, independent claim 39, as amended, recites, *inter alia*:

the means for selectively activating or deactivating security module resources being configured for maintaining the main application active for connection of the equipment to the network.

Thus, Applicants respectfully submit that independent claim 39 is not anticipated by Parker for at least similar reasons as independent claim 21.

Claims 22-36, 38, and 40, dependent on either independent claim 1 or 39, are patentable for the reasons stated above with respect to claims 21 and 39, as well as for their own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection to independent claim 1 and 39, and all claims dependent thereon.

Claim Rejections - 35 U.S.C. § 103

Claim 37 is rejected under 35 U.S.C. § 103 as being obvious over U.S. Patent 5,864,757 ("Parker") in view of U.S. Patent Application Publication 2003/0041125 ("Salomon"). Applicants respectfully traverse this rejection for the reasons detailed below.

In order to establish *prima facie* obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. As discussed above, Parker does not disclose all of the elements of independent claim 21. Further, Applicants submit that Salomon does not remedy the deficiencies of Parker. For instance, Salomon merely discloses a receipt of files message, and does not teach or suggest "selectively activating or selectively deactivating by the security module at least one resource," as required by independent claim 21.

Thus, Applicants respectfully submit that independent claim 21 is non-obvious over the combination of Parker and Salomon. If an independent claim is non-obvious, then any claim depending therefrom is non-obvious.³

Therefore, Applicants respectfully submit that dependent claim 37 is non-obvious for at least similar reasons as independent claim 21, and respectfully request that the rejection to claim 21 under 35 U.S.C. § 103 be withdrawn.

Entry of After Final Amendment

Applicants respectfully submit that this Amendment After Final Rejection places this application in condition for allowance by amending claims in manners that are believed to render all pending claims allowable over the cited art and/or at least place this application in better form for appeal. This Amendment is necessary so as to clarify the scope of selectively activating and deactivating function, and was not earlier presented because Applicants believed that the prior response(s) placed this application in condition for allowance, for at least the reasons discussed in those responses. Accordingly, entry of the present Amendment, as an earnest attempt to advance prosecution and/or to reduce the number of issues, is requested under 37 C.F.R. §1.116.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance all pending claims in connection with the present application is earnestly solicited.

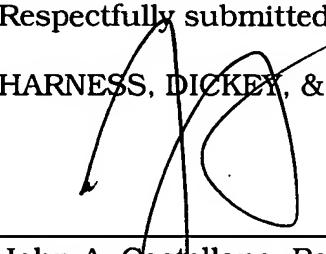
³ See *In re Fine*, 837 F. 2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned, at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,
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By


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